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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,897	12/28/2001	John Barker	1662-54800 (P01-3626)	1589

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EXAMINER

SCHUBERT, KEVIN R

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 08/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/034,897

Applicant(s)

BARKER ET AL.

Examiner

Kevin Schubert

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 30-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Claims 30-46 have been considered.

Claim Rejections - 35 USC § 102

5 The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

10 (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

15 Claims 30,32-35,38, and 40-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen, U.S. Patent No. 6,912,726.

20 As per claims 30,33,38, and 41, the applicant discloses a method of accessing a website comprising the following limitations which are met by Chen:

- a) detecting a visual mnemonic associated with a video clip (Col 4, lines 1-27);
- b) converting said visual mnemonic to a uniform resource locator (URL) (Col 4, lines 1-27);
- c) accessing said website using said URL (Col 4, lines 1-27).

25 As per claims 32-35,40, and 42-43, the applicant discloses the method of claims 30,33, and 38, which are met by Chen, with the following limitation which is also met by Chen:

30 Wherein accessing said website based on said screen location comprises using a data file, separate from the video clip, said data file including information that identifies various areas of the screen at various points in time during the video clip (Col 4, lines 1-27).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

5 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10

Claims 31 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen in view of Nelson, U.S. Patent No. 2003/0093783.

As per claims 31 and 39 the applicant discloses the method of claims 30 and 38, which are met
15 by Chen, with the following limitation which is met by Nelson:

Wherein the visual mnemonics are encoded into the video clip at periodic intervals (Nelson: [0002]);

Chen discloses all the limitations of claims 30 and 38. Though Chen does disclose that the visual mnemonics are encoded at intervals (Col 7, line 66 to Col 8, line 7), he does not specifically disclose that
20 the intervals are periodic.

Nelson discloses that encoding information at periodic intervals in video is a good idea because it allows someone to take advantage of the regularity of the rigid, periodic timing of a video signal. For example, one can encode information in the video so that the encoded information is displayed exactly every five seconds because one can calculate the number of frames that are displayed every five
25 seconds. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Nelson with those of Chen because encoding the mnemonics at periodic intervals allows one to take advantage of the regularity of a video and also provides an opportunity to create a regular visual mnemonic which a user may know of and look for.

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Claims 36-37 and 44-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen in view of Rozzi, U.S. Patent Application Publication No. 2002/0180997.

As per claims 36 and 44, the applicant discloses a method of accessing a website comprising the following limitations which are met by Chen in view of Rozzi:

a) detecting a mnemonic pertaining to raster lines associated with a non-viewable portion of a computer display (Rozzi: [0010]);

b) converting said visual mnemonic to a uniform resource locator (URL) associated with said website (Chen: Col 4, lines 1-27);

c) wherein said visual mnemonic is representative of the website, but is not the URL (Chen: Col 4, lines 1-27);

Chen discloses all the limitations of the above claim except Chen does not specifically disclose that the mnemonic information pertains to the raster lines. Rozzi discloses the idea that information may be encoded in raster lines because encoding information in raster lines, a non-viewable portion of the screen, eliminates the need to encode information in the viewable portion of the screen where the encoded information may detract or alter the viewable information.

It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Rozzi with those of Chen because raster lines are a convenient place to store mnemonic information since the raster lines deal with a non-viewable portion of the screen and encoding information in the raster lines is less likely to detract from or make a noticeable difference in the viewable video file.

As per claims 37, 45, and 46, the applicant discloses the method of claims 36 and 44, which are met by Chen in view of Rozzi, with the following limitation which is met by Chen:

Further comprising accessing said website using said URL (Chen: Col 4, lines 1-27).

Conclusion

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

5 A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX
10 MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Schubert whose telephone number is (571) 272-4239. The examiner can normally be reached on M-F 7:30-6:00.

15 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through
20 Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER